

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

NEON ENTERPRISE SOFTWARE, LLC	§	
	§	
V.	§	A-09-CA-896 AWA
	§	
INTERNATIONAL BUSINESS	§	
MACHINES CORPORATION	§	

ORDER OF DISMISSAL

Pursuant to Rule 41 of the Federal Rules of Civil Procedure and the Stipulation of Dismissal between the parties, and expressly subject to the Permanent Injunction Against Neon, all claims and causes of action by and between the Parties are hereby dismissed with prejudice.

This order finally disposes of all claims between the Parties, and all relief not expressly granted by this judgment, whether the relief was requested or could have been requested in this case, is denied, and all pending motions in the case are denied as moot. Notwithstanding the foregoing, the Permanent Injunction Against Neon remains in effect and enforceable pursuant to its terms. Each party shall bear their own taxable court costs, attorneys' fees and litigation expenses.

SIGNED this 16th day of February, 2012.



ANDREW W. AUSTIN
UNITED STATES MAGISTRATE JUDGE